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SUBJECT: OAS SPECIAL ENVOY PRAISES GOG PROGRESS ON HUMAN RIGHTS

REF: GUATEMALA 1696

1. HROff attended a forum on August 3 co-sponsored by the President's Commission on Human Rights (COPREDEH) and Landivar University to discuss the GOG's impressive new acceptance of accountability in cases before the Inter-American Court of Human Rights (IACHR). In the front of the room, Frank LaRue, head of COPREDEH and GOG representative before the IACHR, and Susana Villagran, Special Envoy from the Inter-American Commission of Human Rights, symbolically sat side-by-side, both praising the progress that the GOG has made on human rights during the Berger administration. In three IACHR cases against Guatemala during 2004, the state of Guatemala accepted responsibility for its failure to protect the lives of those involved and to fully investigate the crimes.

2. According to Villagran, Guatemala should be recognized for its compliance with the decisions of the IACHR. Since January 2004, Guatemala has recognized responsibility before the IACHR in the 1982 massacre of Plan de Sanchez, the 1984 disappearance of Luis de Leon, and the 1993 murder of Congressman Jorge Carpio Nicolle and three companions, and accepted the rulings made by the court. Even more encouraging, the government has begun to act on those decisions. Former President Alfonso Portillo agreed in November 2003 to hold a public ceremony recognizing the state's responsibility in the 1990 murder of Myrna Mack, and President Berger followed through on April 22, 2004. On August 3, Villagran openly supported a COPREDEH proposal to include 73 cases against Guatemala, which are still being arbitrated by the Inter-American Commission, in the National Reparations Program.

3. Comment: Frank LaRue has told the Ambassador and HROff on multiple occasions that he joined the Berger administration on the contingency that they would prioritize human rights. Through his position at COPREDEH, LaRue has guided the change in the GOG's IACHR position, which has received praise from the OAS, the UN, and the European Union. President Oscar Berger fully approves and supports COPREDEH's actions. In addition, on July 7, Berger approved a 37.5 million USD budget allocation for the National Commission of Reparations, which civil society has sought since the signing of the 1996 Peace Accords (reftel). Serious problems remain, but the Berger government has begun to deliver on its promises for human rights.

HAMILTON